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Crime prevention and criminal justice

Report of the Third Committee

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I. Introduction

1. At its 3rd plenary meeting, on 17 September 1999, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-fourth session the item entitled "Crime prevention and criminal justice" and to allocate it to the Third Committe

2. The Third Committee considered the item jointly with item 108, entitled "International drug control", at its 13th to 18th, 20th, 24th 29th, 35th, 48th and 50th meetings on 15, 18 to 21 and 27 October and on 2, 5, 16 and 17 November 1999. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/54/SR.13-18, 20, 24, 29, 35, 48 and 50).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Relevant sections of the report of the Economic and Social Council for 1999 (A/54/3);[1]

(b) Report of the Secretary-General on the elimination of violence against women (A/54/69-E/1999/8 and Add. 1);

(c) Report of the Secretary-General on crime prevention and criminal justice (A/54/289);

(d) Report of the Secretary-General on the African Institute for the Prevention of Crime and the Treatment of Offenders (A/54/340);

[1] To be issued in *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 3* (A/54/3/Rev.1).

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(e) Letter dated 17 September 1999 from the Permanent Representative of Kazakhstan to the United Nations addressed to the Secretary-General (A/54/368-S/1999/993);

(f) Letter dated 24 September 1999 from the Permanent Representative of the United States Mission to the United Nations addressed to the Secretary-General (A/54/417);

(g) Letter dated 29 September 1999 from the Permanent Representatives of Brazil, Finland and Mexico to the United Nations addressed to the Secretary-General, transmitting the Declaration of Rio de Janeiro and the document entitled "Priorities for action", adopted at the first Summit of Heads of State and Government of Latin America and the Caribbean and the European Union, held at Rio de Janeiro on 28 and 29 June 1999 (A/54/448);

(h) Letter dated 15 October 1999 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General, transmitting the communiqué of the meeting of Ministers for Foreign Affairs and Heads of Delegation of the Movement of Non-Aligned Countries, held in New York on 23 September 1999 (A/54/469-S/1999/1063);

(i) Letter dated 3 November 1999 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General (A/54/528-S/1999/1126);

(j) Letter dated 4 October 1999 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General (A/C.3/54/2);

(k) Letter dated 27 October 1999 from the Permanent Representative of Singapore to the United Nations addressed to the President of the General Assembly (A/C.3/54/5).

4. At the 13th meeting, on 15 October, the Director-General of the United Nations Office at Vienna and Executive Director of the Office for Drug Control and Crime Prevention made an introductory statement (see A/C.3/54/SR.13).

II. Consideration of proposals

A. Draft resolution A/C.3/54/L.3

5. By its resolution 1999/19 of 28 July 1999, the Economic and Social Council recommended to the General Assembly the adoption of a draft resolution entitled "Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders". The draft resolution was reproduced in document A/C.3/54/L.3.

6. The Committee had before it, in the report of the Commission on Crime Prevention and Criminal Justice on its eighth session, a statement of the programme budget implications pertaining to the draft resolution.[2]

7. At its 20th meeting, on 21 October, the Committee adopted draft resolution A/C.3/54/L.3 without a vote (see para. 31, draft resolution I).

B. Draft resolution A/C.3/54/L.4 and amendments contained in document A/C.3/54/L.88

8. By its resolution 1999/20 of 30 July 1999, the Economic and Social Council recommended to the General Assembly the adoption of a draft resolution entitled "Draft

[2] *Official Records of the Economic and Social Council, 1999, Supplement No. 10* (E/1999/30), annex II.

United Nations Convention against Transnational Organized Crime and the draft protocols thereto". The draft resolution was reproduced in document A/C.3/54/L.4.

9. At the 48th meeting, on 16 November, the representative of the United States of America introduced amendments (A/C.3/54/L.88) to draft resolution A/C.3/54/L.4, by which:

(a) Operative paragraph 10, reading:

"*Decides* to convene a conference of plenipotentiaries in 2000 with the objective of finalizing and adopting the Convention and the protocols thereto and to opening the Convention and the protocols thereto for signature at the Millennium Assembly",

would be replaced by a new paragraph, reading:

"*Decides* that the Ad Hoc Committee in Vienna shall submit the final text of the Convention and protocols thereto to the General Assembly for early adoption prior to a high-level signing conference";

(b) In operative paragraph 11, the words "the conference of plenipotentiaries" would be replaced by the words "a high-level political signing conference";

(c) In operative paragraph 12, the words "and the conference of plenipotentiaries" would be deleted.

10. At the 50th meeting, on 17 November, the Secretary of the Committee read out a statement from the Controller with regard to draft resolution A/C.3/54/L.4.

11. At the same meeting, the Committee adopted draft resolution A/C.3/54/L.4, as amended, without a vote (see para. 31, draft resolution II).

C. Draft resolution A/C.3/54/L.5

12. By its resolution 1999/21 of 28 July 1999, the Economic and Social Council recommended to the General Assembly the adoption of a draft resolution entitled "Activities of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime: illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, as well as consideration of the need to develop an instrument on the illicit manufacturing of and trafficking in explosives". The draft resolution was reproduced in document A/C.3/54/L.5.

13. At its 20th meeting, on 21 October, the Committee adopted draft resolution A/C.3/54/L.5 without a vote (see para. 31, draft resolution III).

D. Draft resolution A/C.3/54/L.6

14. By its resolution 1999/22 of 28 July 1999, the Economic and Social Council recommended to the General Assembly the adoption of a draft resolution entitled "Action against corruption". The draft resolution was reproduced in document A/C.3/54/L.6.

15. At its 20th meeting, on 21 October, the Committee adopted draft resolution A/C.3/54/L.6 without a vote (see para. 31, draft resolution IV).

E. Draft resolution A/C.3/54/L.21/Rev.1

16. At the 48th meeting, on 16 November, the representative of the United States of America, on behalf of Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Brunei Darussalam, Burundi, Cameroon, Canada, Cape Verde, Chad, Chile, China, the Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, the Democratic Republic of the Congo, Denmark, Djibouti, Dominica, the Dominican Republic, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, the Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Indonesia, the Islamic Republic of Iran, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liberia, the Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Maldives, Mali, Malta, the Marshall Islands, Mauritania, Mauritius, the Federated States of Micronesia, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, the Netherlands, Nicaragua, the Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, the Philippines, Portugal, Qatar, the Republic of Moldova, Romania, the Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, the Sudan, Suriname, Swaziland, Sweden, the Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkmenistan, Uganda, Ukraine, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, the United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela, Yemen, Zambia and Zimbabwe, introduced a revised draft resolution entitled "High-level Political Signing Conference for the United Nations Convention against Transnational Organized Crime" (A/C.3/54/L.21/Rev.1). Subsequently, Cambodia, Colombia, India and Nepal joined in sponsoring the draft resolution.

17. In introducing the draft resolution, the representative of the United States of America orally revised the text as follows:

(a) In the first preambular paragraph, the words "illegal trafficking in and transporting of migrants" were replaced by the words "smuggling of migrants";

(b) In operative paragraph 1, the words "Palermo Convention" were inserted, in parentheses, after the words "United Nations Convention against Transnational Organized Crime".

18. At the 50th meeting, on 17 November, the Secretary of the Committee read out a statement from the Controller with regard to draft resolution A/C.3/54/L.21/Rev.1.

19. At the same meeting, the Committee adopted draft resolution A/C.3/54/L.21/Rev.1, as orally revised, without a vote (see para. 31, draft resolution V).

20. Before the adoption of the draft resolution, a statement was made by the representative of Saudi Arabia; after the adoption of the draft resolution, a statement was made by the representative of Cuba (see A/C.3/54/SR.50).

F. Draft resolution A/C.3/54/L.22 and Rev.1

21. At the 24th meeting, on 27 October, the representative of Burkina Faso, on behalf of the States Members of the United Nations that are members of the Group of African States, introduced a draft resolution entitled "African Institute for the Prevention of Crime and the Treatment of Offenders" (A/C.3/54/L.22), which read:

"*The General Assembly*,

"*Recalling* its resolution 53/113 of 9 December 1998 and all other relevant resolutions,

"*Taking note* of the report of the Secretary-General,

"*Bearing in mind* the urgent need to establish effective crime prevention strategies for Africa, as well as the importance of law enforcement agencies and the judiciary at the regional and subregional levels,

"*Taking note* that the financial situation of the African Institute for the Prevention of Crime and the Treatment of Offenders has greatly affected its capacity to deliver its services to African Member States in an effective and comprehensive manner,

"1. *Commends* the African Institute for the Prevention of Crime and the Treatment of Offenders for its efforts to promote and coordinate regional technical cooperation activities related to crime prevention and criminal justice systems in Africa;

"2. *Reiterates* the need to strengthen further the capacity of the Institute to support national mechanisms for crime prevention and criminal justice in African countries;

"3. *Urges* the States members of the Institute to make every possible effort to meet their obligations to the Institute;

"4. *Calls upon* all Member States and the international community to adopt concrete practical measures, including by increasing their financial assistance, to support the Institute in the development of the requisite capacity to implement its programmes and activities aimed at strengthening crime prevention and criminal justice systems in Africa;

"5. *Requests* the Secretary-General to intensify efforts to mobilize all relevant entities of the United Nations system, in particular the United Nations International Drug Control Programme, to provide the necessary financial and technical support to the Institute to enable it to fulfil its mandate;

"6. *Also requests* the Secretary-General to provide the Institute with the core professional staff required to enable it to function effectively in fulfilling its mandated obligations;

"7. *Calls upon* the United Nations Crime Prevention and Criminal Justice Programme to work closely with the Institute;

"8. *Requests* the Secretary-General to enhance the promotion of regional cooperation, coordination and collaboration in the fight against crime, especially in its transnational dimension, which can not be dealt with adequately by national action alone;

"9. *Also requests* the Secretary-General to make concrete proposals to strengthen the programmes and activities of the Institute and to report to the General Assembly at its fifty-fifth session on the implementation of the present resolution."

22. At the 50th meeting, on 17 November, the Committee had before it a revised draft resolution entitled "African Institute for the Prevention of Crime and the Treatment of Offenders" (A/C.3/54/L.22/Rev.1), submitted by Algeria, on behalf of the States Members of the United Nations that are members of the Group of African States.

23. In introducing the revised draft resolution, the representative of Algeria orally revised operative paragraph 4 adding the words "and non-governmental organizations" after the words "*Calls upon* all Member States".

24. Also at the same meeting, the Committee adopted draft resolution A/C.3/54/L.22/Rev.1, as orally revised, without a vote. (see para. 31, draft resolution VI).

G. Draft resolution A/C.3/54/L.23

25. At its 48th meeting, on 16 November, the Committee had before it a draft resolution submitted by Poland, entitled "High-level Signing Conference for the United Nations Convention against Transnational Crime" (A/C.3/54/L.23).

26. At the same meeting, the representative of Poland withdrew the draft resolution.

H. Draft resolution A/C.3/54/L.24

27. At the 29th meeting, on 2 November, the representative of Italy, on behalf of Argentina, Armenia, Australia, Austria, Bahamas, Belarus, Benin, Canada, Chile, Colombia, Croatia, Cyprus, Egypt, Ethiopia, Germany, Greece, Guatemala, Iceland, Italy, Ireland, Israel, Japan, Kazakhstan, Kyrgyzstan, Lesotho, Lithuania, Madagascar, Malta, the Netherlands, the Philippines, Portugal, the Republic of Korea, Romania, the Russian Federation, San Marino, Slovakia, Slovenia, Spain, South Africa, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Turkey, Turkmenistan, the United Kingdom of Great Britain and Northern Ireland and Ukraine, introduced a draft resolution entitled "Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity" (A/C.3/54/L.24). Subsequently, the Dominican Republic, Guinea, Norway, Panama, Tajikistan, the United States of America and Uzbekistan joined in sponsoring the draft resolution and the Bahamas withdrew its sponsorship.

28. In introducing the draft resolution, the representative of Italy orally revised the text as follows:

(a) In operative paragraph 4, after the words "*Notes* the work programme of the Centre for International Crime Prevention", the words "in particular" were replaced by the word "including";

(b) In operative paragraph 7, the words "*Invites* Member States" were replaced by the words "*Invites* all States";

(c) At the end of operative paragraph 13, the words "and the Commission for Social Development" were added;

(d) In operative paragraph 14, the words "notes the progress achieved by the Ad Hoc Committee on the Elaboration of a Convention against Transnational Crime in this regard" were inserted after the words "including by sea";

(e) Operative paragraph 15 was deleted and the remaining paragraphs were renumbered accordingly.

29. At the same meeting, the Committee adopted draft resolution A/C.3/54/L.24, as orally revised, without a vote. (see para. 31, draft resolution VII).

I. Draft decision proposed by the Chairman

30. At its 50th meeting, on 17 November, on the proposal of the Chairman, the Committee decided to recommend to the General Assembly that it take note of the report of the Secretary-General on the elimination of violence against women (A/54/69-E/1999/8 and Add.1) (see para. 32).

III. Recommendations of the Third Committee

31. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its resolutions 52/91 of 12 December 1997 and 53/110 of 9 December 1998 on preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Recalling also Economic and Social Council resolution 1993/32 of 27 July 1993 and the rules of procedure for United Nations congresses on the prevention of crime and the treatment of offenders,

Emphasizing the role of the Tenth Congress as a consultative body of the United Nations Crime Prevention and Criminal Justice Programme, in accordance with paragraph 29 of the statement of principles and programme of action of the Programme, annexed to General Assembly resolution 46/152 of 18 December 1991,

Welcoming the recommendations made by the Commission on Crime Prevention and Criminal Justice at its seventh[3] and eighth[4] sessions on the organizational and substantive preparations for the Tenth Congress,

Stressing the importance of undertaking all the preparatory activities for the Tenth Congress in a timely and concerted manner,

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[3] *Official Records of the Economic and Social Council, 1998, Supplement No. 30* and corrigendum (E/1998/30 and Corr.1), chap. II.

[4] Ibid., *1999, Supplement No. 10* and corrigendum (E/1999/30 and Corr.1).

1. *Takes note* of the report of the Secretary-General on progress made in the preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;[5]

2. *Also takes note* of the reports of the four regional preparatory meetings for the Tenth Congress,[6] and invites Member States and other entities involved to take into account the conclusions and recommendations contained in those reports;

3. *Reiterates* its request to the Secretary-General to ensure, in collaboration with Member States, a wide and effective programme of public information related to the preparations for the Tenth Congress, to the Congress itself and to the follow-up to and implementation of its conclusions;

4. *Requests* the Secretary-General to assist least developed countries and consider ways to assist developing countries in need to participate in the Tenth Congress by providing the necessary resources for the travel and per diem of delegations from least developed countries, within available resources, and by exploring the possibility of obtaining contributions for that purpose from governmental, intergovernmental and relevant non-governmental organizations and donors;

5. *Calls upon* the specialized agencies and other relevant United Nations bodies and institutes and other intergovernmental and non-governmental organizations to participate effectively in the Tenth Congress and to contribute to the formulation of regional and international measures aimed at preventing crime and ensuring justice;

6. *Requests* the Secretary-General to ensure that the substantive and organizational arrangements for the Tenth Congress are adequate in relation to its expected outcome and to provide the required resources for that purpose in the proposed programme budget for the biennium 2000-2001;

7. *Approves* the draft programme of work and documentation for the Tenth Congress, as proposed by the Secretary-General in his report on progress made in the preparations for the Congress,[7] taking into account the recommendations of the Commission on Crime Prevention and Criminal Justice related thereto;

8. *Decides* that the high-level segment of the Tenth Congress shall be held on 14 and 15 April 2000 to allow heads of State or Government or government ministers to focus on the main theme of the Congress;

9. *Encourages* States, other entities concerned and the Secretary-General to work together in order to ensure that the four workshops to be held during the Tenth Congress focus clearly on the respective issues and achieve practical results, and invites interested Governments to follow up with concrete technical cooperation projects or activities;

10. *Invites* donor countries to cooperate with developing countries to ensure their full participation in the workshops;

11. *Encourages* Governments to make preparations for the Tenth Congress at an early stage and by all necessary means, including, where appropriate, by establishing national preparatory committees, with a view to contributing to a focused and productive discussion of the topics and to participating actively in the organization of and follow-up to the workshops, the submission of national position papers on different agenda items and

[5] E/CN.15/1999/6 and Corr.1.

[6] A/CONF.187/RPM.1/1 and Corr.1, A/CONF.187/RPM.2/1, A/CONF.187/RPM.3/1 and A/CONF.187/RPM.4/1.

[7] E/CN.15/1999/6 and Corr.1, chap. II, sect. F, and annex.

the encouragement of contributions from the academic community and relevant scientific institutions;

12. *Reiterates* its invitation to Member States to be represented at the Tenth Congress at a high political level, for example, by heads of State or Government, government ministers or attorneys-general;

13. *Requests* the Secretary-General to invite prominent personalities with acknowledged expertise in the topics of the Tenth Congress, on the basis of equitable geographical distribution, to participate in panels under each topic of the Congress at the expense of the United Nations, with a view to ensuring a more focused discussion and action-oriented conclusions;

14. *Decides* that the Tenth Congress should, within the framework of the draft provisional agenda approved by the General Assembly in its resolution 53/110 of 9 December 1999,[8] devote particular attention to ways and means of making operational the provisions of the United Nations convention against transnational organized crime, especially taking into account the needs of developing countries in the area of capacity-building;

15. *Requests* the Tenth Congress to submit, through the Commission on Crime Prevention and Criminal Justice and the Economic and Social Council, its declaration to the Millennium Assembly for consideration and action;

16. *Requests* the Commission on Crime Prevention and Criminal Justice to give priority attention at its ninth session to the conclusions and recommendations of the Tenth Congress, with a view to recommending, through the Economic and Social Council, appropriate follow-up by the General Assembly at its fifty-fifth session;

17. *Requests* the Secretary-General to appoint a Secretary-General and an Executive Secretary of the Tenth Congress, in accordance with past practice, to perform their functions under the rules of procedure for United Nations congresses on the prevention of crime and the treatment of offenders;

18. *Decides* to consider this question at its fifty-fifth session.

Draft resolution II
Draft United Nations Convention against Transnational Organized Crime and the draft protocols thereto

The General Assembly,

Recalling its resolution 49/159 of 23 December 1994, by which it approved the Naples Political Declaration and Global Action Plan against Organized Transnational Crime, adopted by the World Ministerial Conference on Organized Transnational Crime, held in Naples, Italy, from 21 to 23 November 1994,[8]

Recalling also its resolution 52/85 of 12 December 1997, by which it decided to establish an inter-sessional open-ended intergovernmental group of experts for the purpose of elaborating a preliminary draft of a possible comprehensive international convention against organized transnational crime, which met at Warsaw from 2 to 6 February 1998,

Taking note of the Buenos Aires Declaration on Prevention and Control of Organized Transnational Crime, adopted by the Regional Ministerial Workshop on Follow-up to the

[8] A/49/748, annex, chap. I, sect. A.

Naples Political Declaration and Global Action Plan against Organized Transnational Crime, held at Buenos Aires from 27 to 30 November 1995,[9] the Dakar Declaration on the Prevention and Control of Organized Transnational Crime and Corruption, adopted by the African Regional Ministerial Workshop on Organized Transnational Crime and Corruption, held at Dakar from 21 to 23 July 1997,[10] and the Manila Declaration on the Prevention and Control of Transnational Crime, adopted by the Asian Regional Ministerial Workshop on Organized Transnational Crime and Corruption, held at Manila from 23 to 25 March 1998,[11]

Recalling its resolution 53/111 of 9 December 1998, by which it decided to establish an open-ended intergovernmental ad hoc committee for the purpose of elaborating a comprehensive international convention against transnational organized crime and of discussing the elaboration, as appropriate, of international instruments addressing trafficking in women and children, combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and illegal trafficking in and transporting of migrants, including by sea,

Convinced of the need to ensure the rapid development and conclusion of the Convention and the protocols thereto,

Recalling the report of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime on its second session, held at Vienna from 8 to 12 March 1999,[12]

1. *Takes note* of the report of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime submitted to the Commission on Crime Prevention and Criminal Justice at its eighth session,[13] and expresses its appreciation of the results achieved by the Ad Hoc Committee during its first, second and third sessions, held at Vienna from 19 to 29 January, 8 to 12 March and 28 April to 3 May 1999, respectively, in the development of the draft United Nations Convention against Transnational Organized Crime and the draft protocols thereto, addressing trafficking in women and children, combating illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and illegal trafficking in and transporting of migrants, including by sea;

2. *Expresses its appreciation* to the Government of Argentina for acting as host to the informal preparatory meeting of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime, held at Buenos Aires from 31 August to 4 September 1998;

3. *Decides* that the additional international instrument being prepared by the Ad Hoc Committee addressing trafficking in women and children should address trafficking in all persons, but especially women and children, and requests the Ad Hoc Committee to make any corresponding changes to the draft instrument;

4. *Requests* the Ad Hoc Committee to continue its work, in accordance with resolutions 53/111 and 53/114 of 9 December 1998, and to intensify its work in order to complete it in 2000;

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[9] E/CN.15/1996/2/Add.1, annex.

[10] E/CN.15/1998/6/Add.1, sect. I.

[11] E/CN.15/1998/6/Add.2, sect. I.

[12] A/AC.254/11.

[13] A/AC.254/13-E/CN.15/1999/5.

5. *Decides* that the Ad Hoc Committee shall be convened in 2000 as required in order to complete its tasks, holding no fewer than four sessions of two weeks each, according to a schedule to be drawn up;

6. *Requests* the Ad Hoc Committee to schedule sufficient time, subject to the availability of funds from the regular budget or extrabudgetary resources, for the negotiation of the draft protocols addressing trafficking in persons, especially women and children, the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and illegal trafficking in and transportation of migrants, including by sea, in order to enhance the possibility of their completion at the same time as the draft Convention;

7. *Welcomes* the offer of the International Institute of Higher Studies in Criminal Sciences to host informal meetings as deemed appropriate to assist the work of the Ad Hoc Committee;

8. *Encourages* Member States to convene informal regional or interregional meetings to assist the work of the Ad Hoc Committee;

9. *Welcomes* the offer of the Government of Japan to host an international seminar on illicit manufacturing of and trafficking in firearms;

10. *Decides* that the Ad Hoc Committee shall submit the final text of the Convention and protocols thereto to the General Assembly for early adoption prior to a high-level signing conference;

11. *Notes with appreciation* the offer by the Government of Italy to host a high-level political signing conference in Palermo;

12. *Requests* the Secretary-General to provide the Ad Hoc Committee with the required facilities and resources to support their work;

13. *Invites* donor countries to cooperate with developing countries to ensure their full participation in the ongoing negotiating process and in the implementation of the Convention through appropriate means of technical assistance;

14. *Requests* the Secretary-General to continue to provide to Member States, upon request, technical cooperation, advisory services and other forms of assistance in the field of crime prevention and criminal justice, including in the area of prevention and control of transnational organized crime;

15. *Requests* the Ad Hoc Committee to submit a report to the Commission on Crime Prevention and Criminal Justice at its ninth session on the progress achieved in its work.

Draft resolution III
Activities of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime: illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, as well as consideration of the need to develop an instrument on the illicit manufacturing of and trafficking in explosives

The General Assembly,

Recalling its resolution 53/111 of 9 December 1998 on transnational organized crime,

Recalling also Economic and Social Council resolutions 1998/17 of 28 July 1998 on the regulation of explosives for the purpose of crime prevention and public health and safety

and 1998/18 of 28 July 1998 on measures to regulate firearms for the purpose of combating illicit trafficking in firearms,

Taking into account the work of the Panel of Governmental Experts on Small Arms, established pursuant to General Assembly resolution 50/70 B of 12 December 1995,

Recognizing the need for effective coordination between the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime and the different United Nations bodies involved in the field of small arms,

Taking note of the United Nations International Study on Firearm Regulation[14] and of the note by the Secretary-General on illicit manufacturing of and trafficking in explosives by criminals and the abuse and misuse of explosives for criminal purposes,[15]

Concerned by the increase, at the international level, in the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition and by the seriousness of the problems arising from them, as well as by their links with transnational organized crime,

Aware of the urgent need to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition,

Aware also that the illicit manufacturing of, trafficking in and criminal misuse of explosives have a harmful effect on the security of States and endanger the well-being of peoples and their social and economic development,

Deeply concerned that effective action against transnational organized crime is hampered by the easy access that criminals have to explosives,

Convinced that combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, as well as combating the illicit manufacture of and trafficking in explosives, requires international cooperation, the exchange of information and other appropriate measures at the national, regional and global levels,

Aware of the importance of bilateral and multilateral instruments and arrangements in the furtherance of international cooperation in the matter, including guidelines and model regulations,

Stressing the need for all States, especially those States which produce, export or import arms, to take the necessary measures to prevent, curb, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, as well as explosives,

Reaffirming the principles of sovereignty, non-intervention and the sovereign equality of all States and the rights and obligations enshrined in the Charter of the United Nations,

1. *Welcomes* the work of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime, and encourages it to continue the negotiation of an international legal instrument dealing with the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition;

2. *Recommends* that, in negotiating the international legal instrument, the Ad Hoc Committee take into account, when appropriate and pertinent, the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition,

[14] United Nations publication, Sales No. E.98.IV.2.

[15] E/CN.15/1999/3/Add.1.

Explosives, and Other Related Materials,[16] as well as other existing international instruments and ongoing initiatives;

3. *Calls upon* States to consider the adoption of such legislative or other measures as may be necessary to establish as criminal offences under their domestic law the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, as well as explosives;

4. *Encourages* States to consider ways to enhance cooperation and the exchange of data and other information with a view to preventing, curbing, combating and eradicating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, as well as explosives;

5. *Requests* the Secretary-General, within existing or extrabudgetary resources, to convene an expert group of no more than twenty members, with equitable geographical representation, to prepare a study on the illicit manufacturing of and trafficking in explosives by criminals and their use for criminal purposes, taking fully into consideration the issues listed in paragraph 2 of Economic and Social Council resolution 1998/17 of 28 July 1998;

6. *Also requests* the Secretary-General to facilitate the participation of experts from developing countries in the meeting of the expert group by providing, from within existing or extrabudgetary resources, for the travel of experts from such countries;

7. *Invites* Member States to make voluntary contributions in order to support the study to be prepared by the expert group and to ensure the participation of experts from developing countries;

8. *Requests* the Secretary-General to report, as early as possible, to the Commission on Crime Prevention and Criminal Justice on the results of the study, and directs the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime, following the completion of the study, to consider the possible elaboration of an international instrument on the illicit manufacturing of and trafficking in explosives.

Draft resolution IV
Action against corruption

The General Assembly,

Noting the corrosive effect that corruption has on democracy, development, the rule of law and economic activity,

Recognizing that corruption is a primary tool of organized crime in its efforts, often conducted on an international basis, to subvert Governments and legitimate commerce,

Drawing attention to the increasing number of regional conventions and other regional instruments recently developed to fight corruption, including the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions of the Organisation for Economic Cooperation and Development, done at Paris on 17 December 1997, the Inter-American Convention against Corruption, adopted by the Organization of American States on 29 March 1996[17] the Principles to Combat Corruption in African Countries of the Global Coalition for Africa, the Council of Europe Criminal Law Convention on Corruption and the Agreement Establishing the Group of States against

[16] A/53/78, annex.

[17] See E/1996/99.

Corruption, the conventions and related protocols on corruption of the European Union and recommendation 32 of the Senior Experts Group on Transnational Organized Crime, endorsed by the Group of Eight at Lyon, France, in June 1996, as well as to best practices, such as those compiled by the Financial Action Task Force on Money Laundering, the Basel Committee on Banking Supervision and the International Organization of Securities Commissions,

Commending the efforts in the United Nations to address corruption concerns in a global forum, including the United Nations Declaration against Corruption and Bribery in International Commercial Transactions[18] and the International Code of Conduct for Public Officials,[19] the ongoing development of a comprehensive international convention against transnational organized crime and protocols thereto by the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime, established pursuant to General Assembly resolution 53/111 of 9 December 1998, and the manual prepared by the Secretariat on practical measures against corruption,

Noting the Expert Group Meeting on Corruption and its Financial Channels, held in Paris from 30 March to 1 April 1999,[20] pursuant to Economic and Social Council resolution 1998/16 of 28 July 1998,

Noting also the first Global Forum on Fighting Corruption, held in Washington, D.C. from 24 to 26 February 1999[21] at the invitation of the Vice-President of the United States of America, at which participants from ninety Governments called upon their Governments to cooperate in regional and global bodies to adopt effective anti-corruption principles and practices and to create ways to assist one another through mutual evaluation,

1. *Takes note with appreciation* of, and subscribes to the conclusions and recommendations of the Expert Group Meeting on Corruption and its Financial Channels, held in Paris from 30 March to 1 April 1999, which are contained in the report of the Expert Group Meeting;[22]

2. *Also takes note with appreciation* of the Declaration made by the first Global Forum on Fighting Corruption, held in Washington, D.C. from 24 to 26 February 1999,[23] and notes that the second Global Forum on Fighting Corruption is to be held in the Netherlands in 2000 as a follow-up to the first Global Forum;

3. *Invites* Member States to examine, at the national level, as appropriate, taking into account the above-mentioned documents, the adequacy of their domestic legal regimes in terms of guarding against corruption and providing for forfeiture of the proceeds of corruption, drawing upon international assistance available for that purpose, with a view, where necessary:

(a) To strengthening national laws and regulations in order to criminalize corruption in all its forms, amending provisions against money-laundering so that they cover bribes and the proceeds of corruption, as well as provisions concerning the prevention and detection of acts of corruption and money-laundering;

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[18] Resolution 51/191, annex.

[19] Resolution 51/59, annex.

[20] E/CN.15/1999/10.

[21] E/CN.15/1999/CRP.12.

[22] E/CN.15/1999/10, paras. 1-14.

[23] E/CN./15/1999/WP.1/Add.1.

(b) To improving the transparency, vigilance and monitoring of financial transactions and limiting bank and professional secrecy in cases involving criminal investigation;

(c) To promoting both inter-agency coordination and international administrative and judicial cooperation in matters involving corruption;

(d) To enacting legislation and establishing programmes promoting the full involvement of civil society in efforts to fight corruption;

(e) To providing, in accordance with relevant international instruments and domestic legislation, for the possibility of providing extradition and mutual assistance in cases involving corruption or money-laundering;

4. *Stresses* the need to develop a global strategy to strengthen international cooperation aimed at the prevention and punishment of corruption, including the links of corruption with organized crime and money-laundering, by:

(a) Encouraging Member States to become parties to, and to implement the terms of, relevant international conventions and other instruments aimed at fighting corruption;

(b) Inviting Member States to participate in conferences and other forums for the advancement of international efforts against corruption;

(c) Also inviting Member States to explore the possibilities of developing a global system for peer review regarding the adequacy of practices aimed at combating corruption;

5. *Directs* the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime to incorporate into the draft Convention measures against corruption linked to organized crime, including provisions regarding the sanctioning of acts of corruption involving public officials;

6. *Requests* the Ad Hoc Committee, using such time as its schedule permits and with extrabudgetary resources provided for that purpose, to explore the desirability of an international instrument against corruption, either ancillary to or independent of the Convention, to be developed after the finalization of the Convention, and the three additional instruments referred to in General Assembly resolution 53/111 and to present its views to the Commission on Crime Prevention and Criminal Justice;

7. *Invites* Member States to keep the Office for Drug Control and Crime Prevention of the Secretariat informed of progress made in the implementation of the recommendations of the Expert Group Meeting on Corruption and its Financial Channels;

8. *Requests* the Office for Drug Control and Crime Prevention:

(a) To ensure that the ongoing revision of the manual prepared by the Secretariat on practical measures against corruption incorporates the recommendations of the Expert Group Meeting on Corruption and its Financial Channels and takes note of the conclusions of the first Global Forum on Fighting Corruption;

(b) To continue to develop, in consultation with Member States, an effective global programme for providing technical assistance to fight corruption;

(c) To explore ways to convince underregulated financial centres to adopt rules enabling them to trace and take action against the proceeds of organized crime and corruption, to participate actively in international cooperation aimed at preventing and controlling related forms of financial crime and, if necessary, to consider measures to protect the international financial system from the underregulated financial centres and mechanisms for the establishment of such minimum rules;

(d) To report to the Commission on Crime Prevention and Criminal Justice no later than at its tenth session on the progress made in the implementation of the present resolution and the steps taken by Member States to combat corruption and its proceeds;

9. *Requests* the Secretary-General to undertake, within existing or extrabudgetary resources, technical cooperation activities to combat corruption, in consultation with Member States that may be able to provide assistance.

Draft resolution V
High-level Political Signing Conference for the United Nations Convention against Transnational Organized Crime

The General Assembly,

Recalling its resolution 53/111 of 9 December 1998, in which it decided to establish an open-ended intergovernmental ad hoc committee for the purpose of elaborating a comprehensive international convention against transnational organized crime and of discussing the elaboration, as appropriate, of international instruments addressing trafficking in women and children, combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and smuggling of migrants, including by land, air and sea,

Recalling also that in resolution 54/... it requested the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime to schedule sufficient time, subject to the availability of funds, from the regular budget or from extrabudgetary resources, for the negotiation of the draft protocols addressing trafficking in persons, especially women and children, the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and smuggling of migrants, by land, air and sea, in order to enhance the possibility of their completion at the same time as the main convention,

Acknowledging the progress made thus far by the Ad Hoc Committee towards the goal of completing negotiations in 2000,

Mindful that substantive negotiations on the Convention and protocols thereto continue in Vienna in accordance with General Assembly resolutions 40/243 of 18 December 1985 and 53/111 and 53/114 of 9 December 1998,

Recalling that in resolution 54/... it decided that the Ad Hoc Committee shall submit the final text of the Convention and protocols thereto to the General Assembly for early adoption prior to a high-level signing conference;

Recalling also the Naples Political Declaration and Global Action Plan against Organized Transnational Crime, adopted by the World Ministerial Conference on Organized Transnational Crime, held at Naples, Italy, from 21 to 23 November 1994,[24] in which the Commission on Crime Prevention and Criminal Justice was requested to initiate the process of elaborating international instruments, such as a convention or conventions against transnational organized crime;

Recognizing the initiating role and the contribution of the Government of Poland to the development of a draft convention against transnational organized crime;

[24] A/49/748, annex, chap. I, sect. A.

Recognizing the historic and symbolic importance of associating the first international convention against transnational organized crime with the city of Palermo, Italy,

1. *Accepts with appreciation* the offer of the Government of Italy to host a high-level political signing conference in Palermo for the purpose of signing the United Nations Convention against Transnational Organized Crime (Palermo Convention) and protocols thereto;

2. *Decides* to convene the High-level Political Signing Conference in Palermo;

3. *Requests* the Secretary-General to schedule the Conference for a period of up to one week before the end of the Millennium Assembly in 2000, with the Conference to be organized in accordance with resolution 40/243;

4. *Requests* the Centre for International Crime Prevention of the Secretariat to work with the Government of Italy, in consultation with Member States, to propose the agenda for and the organization of the Conference, including opportunities for high-level delegates to discuss matters related to the Convention and protocols thereto, in particular the follow-up activities, for their effective implementation and future work;

5. *Invites* all States to be represented at the High-level Political Signing Conference at the highest possible levels of government.

Draft resolution VI
African Institute for the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its resolution 53/113 of 9 December 1998 and all other relevant resolutions,

Taking note of the report of the Secretary-General,[25]

Bearing in mind the urgent need to establish effective crime prevention strategies for Africa, as well as the importance of law enforcement agencies and the judiciary at the regional and subregional levels,

Noting that the financial situation of the African Institute for the Prevention of Crime and the Treatment of Offenders has greatly affected its capacity to deliver its services to African Member States in an effective and comprehensive manner,

1. *Commends* the African Institute for the Prevention of Crime and the Treatment of Offenders for its efforts to promote and coordinate regional technical cooperation activities related to crime prevention and criminal justice systems in Africa;

2. *Reiterates* the need to strengthen further the capacity of the Institute to support national mechanisms for crime prevention and criminal justice in African countries;

3. *Urges* the States members of the Institute to make every possible effort to meet their obligations to the Institute;

4. *Calls upon* all Member States and non-governmental organizations to adopt concrete practical measures to support the Institute in the development of the requisite capacity and implement its programmes and activities aimed at strengthening crime prevention and criminal justice systems in Africa;

[25] A/54/340.

5. *Requests* the Secretary-General to intensify efforts to mobilize all relevant entities of the United Nations system to provide the necessary financial and technical support to the Institute to enable it to fulfil its mandate;

6. *Also requests* the Secretary-General to deploy his efforts to mobilize the financial resources necessary to provide the Institute with the core professional staff required to enable it to function effectively in the fulfilment of its mandated obligations;

7. *Calls upon* the United Nations Crime Prevention and Criminal Justice Programme and the United Nations International Drug Control Programme to work closely with the Institute;

8. *Requests* the Secretary-General to enhance the promotion of regional cooperation, coordination and collaboration in the fight against crime, especially in its transnational dimension, which cannot be dealt with adequately by national action alone;

9. *Also requests* the Secretary-General to make concrete proposals, including the provision of additional core professional staff, in order to strengthen the programmes and activities of the Institute and to report to the General Assembly at its fifty-fifth session on the implementation of the present resolution.

Draft resolution VII
Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity

The General Assembly,

Recalling its resolution 46/152 of 18 December 1991 on the creation of an effective United Nations crime prevention and criminal justice programme, in which it approved the statement of principles and programme of action annexed to that resolution,

Emphasizing the role of the United Nations in the field of crime prevention and criminal justice, specifically the reduction of criminality, more efficient and effective law enforcement and administration of justice, respect for human rights and promotion of the highest standards of fairness, humanity and professional conduct,

Convinced of the desirability of closer coordination and cooperation among States in combating crime, including drug-related crimes such as money-laundering, illicit arms trade and terrorist crimes, bearing in mind the role that could be played by both the United Nations and regional organizations in this respect,

Recognizing the urgent need to increase technical cooperation activities to assist countries, in particular developing countries and countries with economies in transition, with their efforts in translating United Nations policy guidelines into practice,

Recalling its relevant resolutions in which it requested the Secretary-General, as a matter of urgency, to provide the United Nations Crime Prevention and Criminal Justice Programme with sufficient resources for the full implementation of its mandate, in conformity with the high priority attached to the Programme,

1. *Takes note with appreciation* of the report of the Secretary-General, on the progress made in the implementation of General Assembly resolution 53/114 of 9 December 1998;[26]

[26] A/54/289.

2. *Reaffirms* the importance of the United Nations Crime Prevention and Criminal Justice Programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, in responding to the needs of the international community in the face of both national and transnational criminality and in assisting Member States in achieving the goals of preventing crime within and among States and improving the response to crime;

3. *Also reaffirms* the role of the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat in providing to Member States, upon request, technical cooperation, advisory services and other forms of assistance in the field of crime prevention and criminal justice, including in the area of prevention and control of organized crime;

4. *Notes* the work programme of the Centre for International Crime Prevention, including the launching of three global programmes addressing, respectively, trafficking in human beings, corruption and organized crime, formulated on the basis of close consultations with Member States and review by the Commission on Crime Prevention and Criminal Justice, and calls on the Secretary-General to further strengthen the Centre by providing it with the resources necessary for the full implementation of its mandate;

5. *Supports* the high priority given to technical cooperation and advisory services in the field of crime prevention and criminal justice, including in the area of prevention and control of transnational organized crime, and stresses the need to enhance the operational activities of the Centre for International Crime Prevention to assist, in particular, developing countries and countries with economies in transition;

6. *Welcomes* the increased number of technical assistance projects in the field of juvenile justice, reflecting an increased awareness among Member States of the importance of juvenile justice reform in establishing and maintaining stable societies and the rule of law;

7. *Invites* all States to support, through voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund, the operational activities of the United Nations Crime Prevention and Criminal Justice Programme;

8. *Encourages* relevant programmes, funds and organizations of the United Nations system, in particular the United Nations Development Programme, international financial institutions, particularly the World Bank, and regional and national funding agencies, to support the technical operational activities of the Centre for International Crime Prevention;

9. *Urges* States and funding agencies to review, as appropriate, their funding policies for development assistance and to include a crime prevention and criminal justice component in such assistance;

10. *Welcomes* the efforts undertaken by the Commission on Crime Prevention and Criminal Justice to exercise more vigorously its mandated function of resource mobilization, and calls upon the Commission to strengthen further its activities in this direction;

11. *Expresses its appreciation* to non-governmental organizations and other relevant sectors of civil society for their support to the United Nations Crime Prevention and Criminal Justice Programme;

12. *Welcomes* the efforts of the Executive Director of the Office for Drug Control and Crime Prevention of the Secretariat to enhance the synergies between the United Nations International Drug Control Programme and the Centre for International Crime Prevention, in conformity with the reform proposals of the Secretary-General;

13. *Requests* the Secretary-General to take all necessary measures to assist the Commission on Crime Prevention and Criminal Justice, as the principal policy-making body in this field, in performing its activities, including cooperation and coordination with other relevant bodies, such as the Commission on Narcotic Drugs, the Commission on Human Rights, the Commission on the Status of Women and the Commission for Social Development;

14. *Reaffirms* the high priority attached to the elaboration of a comprehensive convention against transnational organized crime and additional international instruments addressing trafficking in persons, especially women and children, combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and illegal trafficking in and transporting of migrants, including by sea, notes the progress achieved by the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime in this regard, and calls upon Member States to make all possible efforts to assure the rapid development and conclusion of the convention and the protocols thereto;

15. *Welcomes* the decision of the Commission to mainstream a gender perspective into its activities and its request to the Secretariat that a gender perspective be integrated into all activities of the Centre for International Crime Prevention;

16. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-fifth session.

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32. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Report of the Secretary-General on the elimination of violence against women

The General Assembly takes note of the report of the Secretary-General on the elimination of violence against women (A/54/69-E/1999/8 and Add.1).